

RE: ORDER DISMISSED CIVIL WITHOUT PREJUDICE

2:22-cv-01822-GMN-BNW

FILED	DECEMBER 30 2022
ENTERED	RECEIVED
SERVED ON	
COUNSEL/PARTIES OF RECORD	
FEB 16 2023	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	

DEAR MS. WEKSLER,

I WILL MAKE THIS AS BRIEF AND CONCISE AS I POSSIBLY CAN, YOUTH DEPUTY.
 FINALLY RECEIVED THE CASE #: 2:22-cv-01822/PROCESS, TODAY 12-24-22. THIS MEANS
 THAT I DID NOT KNOW THAT THE COMPLAINT HAD BEEN DISMISSED WITHOUT PREJUDICE
 ON 11-21-22 UNTIL TODAY. AND SO, NATURALLY, I DIDN'T KNOW THAT I HAD UNTIL
 12-21-22 TO AMEND THE COMPLAINT.

EMPHATICALLY, IF THE CRIMINAL PROCEEDINGS WERE [NOT] "VALID", AND WERE NOT
 "CONDUCTED IN A COURT HAVING LAWFUL JURISDICTION, IN ACCORD WITH THE LAWS
 IN FORCE AT THE TIME OF CONVICTION", THEN, WOULD THAT NOT EXPLAIN WHY THE
 DEFENDANT'S AUTHORITY WAS CHALLENGED BY ME IN THE FIRST PLACE? AND, FOR A
 MOMENT, IF YOU WOULD, WHAT IF THE COMMISSIONERS KNEW, BECAUSE OF A CONVERSATION
 WITH THE STATE PUBLIC DEFENDER TWO DAYS PRIOR, THAT I INTENDED TO ASSERT [ON THE
 RECORD] THEIR 'AUTHORITY' WAS VOID/INVALID BECAUSE THE SENTENCING COURT HAD NO
 LAWFUL ORIGINAL JURISDICTION TO COMMIT ME TO PRISON, NOR TO ENTER THE
 JUDGMENT OF CONVICTION AGAINST ME, COULD THAT BE WHY THE DEFENDANT PAROLE
 BOARD COMMISSIONERS WOULD NOT ALLOW ME TO ASSERT THAT CONSTITUTIONAL
 DEFENSE ON THE RECORD?

AND, MS. WEKSLER, THAT WAS / IS WHY THE APPOINTMENT OF COUNSEL WAS
 NECESSARY TO ENSURE THAT I FINALLY WOULD HAVE MY DAY IN COURT... THE
 INSTANT 'TRAP' (PERHAPS) WAS FOR THE UNLAWFUL PURPOSE OF SETTING IN MOTION A
 CHAIN OF EVENTS THAT WOULD ULTIMATELY ALLOW THE STATE PAROLE BOARD
 COMMISSIONERS TO IGNORE MY CONSTITUTIONAL DEFENSE TO THEIR PURPORTED
 AUTHORITY, AND THEREBY, DENY ME THE "CONSTITUTIONAL RIGHT ENFORCE MY CIVIL
 RIGHT TO PERSONAL LIBERTY. THE PAROLE BOARD COMMISSIONERS ARE INDEED

VICARIOUSLY LIABLE FOR THE INTENTIONAL DERIVATIONS OF MY CONSTITUTIONAL RIGHTS 25 YEARS AGO BY THE STATE CONSTITUTIONAL OFFICERS RESPONSIBLE FOR THE JUDICIAL PROCEEDINGS LEADING UP TO THE 'VOID' JUDGMENT OF CONVICTION.

MY PRO SE COMPLAINT WAS/IS MORE THAN MERELY 'LABELS AND CONCLUSIONS', MS. WEKSLER. AND AT THE PLEADING STAGE I WOULD HAVE THOUGHT THAT THE ALLEGATIONS IMPLIED WITHIN AND BY THE RESPONSE TO "WHAT I WANT THE COURT TO DO" FOR ME, WOULD NECESSARILY CONSTITUTE "SUFFICIENT FACTUAL ALLEGATIONS ABOUT THE UNDERLYING DISPUTE AND THE DEFENDANT'S ROLE IN THE MATTER TO STATE A CLAIM".

FINALLY, AND ONCE AGAIN, I ONLY RECEIVED THE ORDER DISMISSING THE COMPLAINT WITHOUT PREJUDICE TODAY, 12-29-22, THE ORDER WAS ISSUED ON 11-21-22, AND I HAD UNTIL 12-21-22 TO AMEND THE COMPLAINT... IT WOULD APPEAR THAT THE COURT WAS [NOT] CONCERNED AS TO WHETHER I WOULD OR COULD BE SUCCESSFUL ON THE MERITS... HOWEVER, I AM NOT DETERRED, I AM ACCUSTOMED TO NEVADA'S SPECIALIZED BRAND OF CONTRIVANCE AND LAWLESSNESS. BUT I WILL, ONCE AGAIN, ASK THAT THIS COURT RECONSIDER THE DEFENDANT'S AUTHORITY AND WHETHER IT STEMS FROM VALID CRIMINAL PROCEEDINGS CONDUCTED IN A COURT HAVING LAWFUL JURISDICTION, IN ACCORD WITH THE STATE LAWS IN FORCE AT THE TIME OF CONVICTION... LIBERALLY CONSTRUED, I BELIEVE, TO ASK THE QUESTION IS TO ANSWER IT IN YOUR HONORABLE FAVOR; AND THE FORCE OF THE RECORD PROVES IT. "IF TAKEN AS TRUE", THE QUESTIONS AS TO THE VALIDITY OF THE CRIMINAL PROCEEDINGS, AS TO WHETHER THEY WERE CONDUCTED IN A COURT HAVING LAWFUL JURISDICTION, IN ACCORD WITH THE LAWS IN FORCE AT THE TIME OF CONVICTION, AND IF CONSTRUED IN THE LIGHT MOST FAVORABLE TO THE PLAINTIFF, THE DE ORDER

DETY [IS] INVALID AND THE COURT'S

IT IS ORDERED that ECF No. 16 is GRANTED in part and DENIED in part. ECF No. 16 is granted to the extent Plaintiff is seeking more time to file an amended complaint. ECF No. 16 is denied without prejudice to the extent Plaintiff seeks to have ECF No. 16 serve as his amended complaint. IT IS FURTHER ORDERED that the Clerk of Court is directed to send Plaintiff a form complaint. IT IS FURTHER ORDERED that Plaintiff must complete the form complaint, in legible handwriting, and file it by March 17, 2023. Failure to comply with this order may result in a recommendation that this case be dismissed.

IT IS SO ORDERED

DATED: 9:56 am, February 21, 2023



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE